

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Waldo Williams,

Plaintiff,

vs.

Credence Resource Management, L.L.C.,
a foreign limited liability company,

Defendants.

Case No.:

COMPLAINT

JURY TRIAL DEMAND

NOW COMES THE PLAINTIFF, WALDO WILLIAMS, BY AND THROUGH
COUNSEL, Richard M. Maseles, and for his Complaint against the Defendant, pleads
as follows:

JURISDICTION

1. This Court has jurisdiction under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.

VENUE

1. The transactions and occurrences that give rise to this action occurred in the City or County of St. Louis, Missouri.
2. Venue is proper in the Eastern District of Missouri, Eastern Division.

PARTIES

3. Plaintiff is a natural person residing in the City of St. Louis, Missouri.
4. The Defendant to this lawsuit is Credence Resource Management, L.L.C. ("Credence R.M."), which is a foreign limited liability company that conducts business in the State of Missouri.

GENERAL ALLEGATIONS

5. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff to T Mobile in the amount of \$857.00 ("the alleged Debt").
6. Plaintiff disputes the alleged Debt.
7. On March 6, 2020, Plaintiff obtained his Trans Union credit disclosure and noticed Defendant reporting the alleged Debt.
8. On or about April 6, 2020, Plaintiff sent Defendant a letter disputing the alleged Debt.
9. On June 7, 2020, Plaintiff obtained his Trans Union credit disclosure, which showed that Defendant failed or refused to flag the account reflected by the alleged Debt as disputed, in violation of the FDCPA.
10. In the credit reporting industry, data furnishers, such as the Defendant, communicate electronically with the credit bureaus.

1 11. Defendant had more than ample time to instruct Experian, Equifax, and Trans
2 Union to flag its trade line as Disputed.

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4 12. Defendant's inaction to have its trade line on Plaintiff's credit report flagged as
5 disputed was either negligent or willful.

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7 13. Plaintiff suffered pecuniary and emotional damages as a result of Defendant's
8 actions. His credit report continues to be damaged due to the Defendant's failure
9 to properly report the associated trade line.

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12 **COUNT I**

13 **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

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15 14. Plaintiff reincorporates the preceding allegations by reference.

16 15. At all relevant times, Defendant, in the ordinary course of its business, regularly
17 engaged in the practice of collecting debts on behalf of other individuals or
18 entities.

19
20 16. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in
21 this case is a consumer debt.

22
23 17. Defendant is a "debt collector" under the Fair Debt Collection Practices Act
24 ("FDCPA"), 15 U.S.C. §1692a(6).

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26 18. Defendant's foregoing acts in attempting to collect the alleged Debt violated 15
27 U.S.C. §1692e(8) by communicating to any person credit information, which is
28

1 known to be false or should be known to be false, including failure to report a
2 disputed debt as disputed.
3

4 19.To date, and as a direct and proximate cause of the Defendant's failure to honor
5 its statutory obligations under the FDCPA, the Plaintiff has continued to suffer
6 from a degraded credit report and credit score.
7

8 20.Plaintiff has suffered economic, emotional, general, and statutory damages as a
9 result of these violations of the FDCPA.
10

11 **WHEREFORE, PLAINTIFF PRAYS** that this Court grant him a judgment
12 against Defendant for actual damages, costs, interest, and attorneys' fees.
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14
15 **DEMAND FOR JUDGMENT RELIEF**
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17 Accordingly, Plaintiff requests that the Court grant him the following relief against
18 the Defendant:
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- 20 a. Actual damages;
21 b. Statutory damages;
22 c. Statutory costs and attorneys' fees.
23
24

25
26 **JURY DEMAND**

27 Plaintiff hereby demands a trial by Jury.
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2 DATED: September 22, 2020
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4 By: /s/Richard M. Maseles

5 Richard M. Maseles

6 ED MO Bar # 58243MO

7 110 Crestmere Ave.

8 Columbia, MO 65203

9 richard@richardmaseles.com

10 *Attorneys for Plaintiff,*

11 *Waldo Williams*

12 Of Counsel to:

13 Credit Repair Lawyers of America

14 22142 West Nine Mile Road

15 Southfield, MI 48033

16 Telephone: (248) 353-2882

17 Facsimile: (248) 353-4840
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